

Minutes for Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, October 15, 2015

The Chair called the meeting to order at 7:04 pm.

1. Roll Call: Present: Lucien Benoit, Dean Naylor, Gary Palardy, Dinna Finnegan and Cynthia Roberts. Absent were Scott Lentz and David Punchak. Also in attendance was Town Planner Robert Ericson.

2. Disclosure: This is where anyone can disclose potential conflicts on matters before the Planning Board.

There were no disclosures

3. Minutes: The board reviewed the minutes September 17, 2015. Minor changes were recommended. Ms. Finnegan made a motion to accept the minutes of September 17 as amended, seconded by Mr. Palardy with all in favor (5-0).

4. Decisions: University Orthodontics Preliminary Major Land Development Plan. No changes were recommended. Dr. Benoit made a motion to approve the decision for University Orthodontics Preliminary Major Land Development Plan, seconded by Mr. Palardy. Motion approved by roll-call vote, 5-0.

5. Proposed Land Development & Subdivision Regulations amendments with public hearing: Discussion, vote or other action by the Planning Board as per public hearing advertisement. Mr. Ericson explained each of the following items, using real examples where appropriate:

- **Article 1-1 Changes in purpose to match current state law**
- **Article 1-8 Short title**
- **Article 2 Definitions: advisory review meeting, driveway, slope of land, waiver**
- **Article 3-9 (B) Applicant responsible for notifying abutters**
- **Article 5-1 Land unsuitable for development**
- **Article 5-7 (A) Width of subdivision streets and sidewalks**
- **Article 5-8 (K) Revised cistern specs**
- **Article 5-10 (G) Digital form of submission**
- **Article 5-13 (F) Driveways**
- **Article 8-1 Violations and penalties**
- **Article 9-1 Administrative officer**
- **Article 9-3 Quorum changes**
- **Article 9-11 Review fees**
- **Appendix A Checklists**
- **Miscellaneous correction of typographical errors**

Members identified pagination errors. Mr. Palardy recommended changes to forms.

Dr. Benoit moved to open the public hearing at 7:47, seconded by Ms. Finnegan with all in favor (5-0).

Mr. Ericson recommended changes in Section 5.5 (F) to the interior angle limitation, making it 225 degrees over a 20' distance, and exempting administrative subdivisions where there is no practical alternative.

Ms. Finnegan moved to close the public hearing at 8:06 pm, seconded by Mr. Palardy with all in favor (5-0).

Motion by Dr. Benoit to approve all the Land Development & Subdivision Regulations amendments including Section 5.5, second by Mr. Palardy. Motion approved by roll-call vote 5-0.

6. Rockcliff Farm Report, 2002-2015: Process history and resolution of errors for a mixed-use project.

The report focused on how the 2003 Planning Board bypassed state law requiring Major Land Development Plan review. The 2003 PB also ignored the state law on order of precedence.

Mr. Ericson used the example for a training workshop. He began by displaying the approved Site Plan Review of 2008, initialed by the Town Planner at the time and backdated to 2003. More than half the plan was blank, essentially creating a blank check for the developer.

He discussed problems in the Zoning Board of Review decision. It did not note which findings of fact were significant for the decision, nor did it incorporate the concept of requiring “strict compliance with plans and testimony.”

The Planning Board never placed a time or event trigger for construction of the proposed office building, so the Town cannot require it at any given time. However, the developer’s attorney has said they plan to build it this fall or in the spring.

Members asked multiple questions of procedure. Mr. Ericson explained that this case presented a complicated series of errors with long-term impacts.

7. Planning Update: Summary of new developments with the Comprehensive Plan, public facilities, new commercial and manufacturing projects, infrastructure projects, applications in the pipeline, BRV Heritage Corridor projects, energy projects, zoning ordinance amendments and meetings schedule.

Mr. Ericson discussed an administrative subdivision for land across the road from the south entrance to Dowling Village. He said Frank Simonelli’s proposed subdivision was in the pipeline, and he expected Navigant branch construction to be closed in by winter.

Dr. Benoit asked if the stop line at Pond House Rd and Greenville Rd could be modified to be more useful to drivers. Mr. Ericson agreed to pursue the issue. Ms. Finnegan asked where the Town is on streetlights. Mr. Ericson said PRISM is auditing all 1500 lights prior to purchase. Mr. Ericson also discussed the Town's pending power purchase agreement for the solar farm near the old LR&R landfill.

Dr. Benoit asked about Anchor Subaru. Mr. Ericson said they had submitted plans for a building permit for the new Subaru showroom/auto maintenance building.

8. Adjournment: Dr. Benoit made a motion to adjourn at 8:55 pm, seconded by Mr. Palardy, all in favor.

Submitted by Robert Ericson on October 22, 2015

Approved by the Planning Board on November 19, 2015.